

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 24, 2022

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused - Monks. Total - 1.
Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audrey Payne, Page.

3RD ORDER

Approval of Journal

February 24, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

CHANEY, Chairman

Mr. Chaney moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 23, 2022

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed on February 23, 2022 and am transmitting to the Secretary of State the following House bill, to wit:

[H 472](#)

Sincerely,
/s/ Brad Little
Governor

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, CHAD CHRISTENSEN, State

Representative, District 32, Seat B, Bear Lake, Bonneville, Caribou, Franklin, Oneida, and Teton Counties, State of Idaho, has nominated, RAYMOND HUBBARD, of 20101 W. Highway 38, Malad City, Idaho 83252, to perform the duties of this office temporarily as Acting State Representative, District 32, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Raymond Hubbard of Malad City, Idaho, to the office of Acting State Representative, District 32, Seat B, for a term commencing February 24, 2022 through February 28, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 24th day of February, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Raymond Hubbard.

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, MIKE KINGSLEY, State Representative, District 6, Seat B, Lewis and Nez Perce Counties, State of Idaho, has nominated, GLEN BALDWIN, of 31964 Mission Creek Road, Culdesac, Idaho 83524, to perform the duties of this office temporarily as Acting State Representative, District 6, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Glen Baldwin of Culdesac, Idaho, to the office of Acting State Representative, District 6, Seat B, for a term commencing February 24, 2022 through February 28, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 24th day of February, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Glen Baldwin.

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, TAMMY NICHOLS, State Representative, District 11, Seat B, Canyon County, State

of Idaho, has nominated, ZACH BROOKS, of 4102 Dye Lane, Kuna, Idaho 83634, to perform the duties of this office temporarily as Acting State Representative, District 11, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Zach Brooks of Kuna, Idaho, to the office of Acting State Representative, District 11, Seat B, for a term commencing February 24, 2022 through March 1, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 24th day of February, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE
Governor

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Zach Brooks.

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, GREG FERCH, State Representative, District 21, Seat B, Ada County, State of Idaho, has nominated, GREG GEMPLER, of 6017 S. Rising Sun Way, Boise, Idaho 83709, to perform the duties of this office temporarily as Acting State Representative, District 21, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Greg Gempler of Boise, Idaho, to the office of Acting State Representative, District 21, Seat B, for a term commencing February 24, 2022 through February 28, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 24th day of February, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE
Governor

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Greg Gempler.

February 23, 2022

Mr. Speaker:

I transmit herewith enrolled [S 1255](#), [S 1262](#), and [S 1273](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1255](#), [S 1262](#), and [S 1273](#) and, when so signed, ordered them returned to the Senate.

February 23, 2022

Mr. Speaker:

I return herewith enrolled [HCR 29](#) and [H 444](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 444](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HCR 29](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 23, 2022

Mr. Speaker:

I transmit herewith [SCR 116](#), [SCR 117](#), [SCR 118](#), [S 1282](#), [S 1299](#), [S 1275](#), [S 1277](#), and [S 1278](#) which have passed the Senate.

NOVAK, Secretary

[SCR 116](#), [SCR 117](#), [SCR 118](#), [S 1282](#), [S 1299](#), [S 1275](#), [S 1277](#), and [S 1278](#) were filed for first reading.

5TH ORDER

Report of Standing Committees

Mr. Nate asked, pursuant to Rule 17, that [H 448](#) be reported forthwith out of the Ways and Means Committee to which it had been referred.

Mr. Amador moved that the committee be excused. Seconded by Mrs. Blanksma.

Pursuant to Rule 55, Mr. Palmer moved for the previous question. Seconded by Mr. Vander Woude.

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Barbieri, Berch, Blanksma, Bundy, Burns, Cannon, Chaney, Chew, Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Green, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moyle, Nash, Necochea, Okuniewicz, Palmer, Rubel, Ruchti, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 58.

NAYS—Armstrong, Boyle, Christensen(Hubbard), Ferch(Gempler), Giddings, Hanks, Kingsley(Baldwin), Moon, Nate, Nichols(Brooks), Scott. Total - 11.

Absent—Monks. Total - 1.

Total - 70.

More than two-thirds of the members present voting in the affirmative, the Speaker declared the motion carried.

The question being, "Shall the committee be excused?"

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Armstrong, Berch, Blanksma, Bundy, Burns, Cannon, Chaney, Chew, Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Green, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moyle, Nash, Necochea, Okuniewicz, Palmer, Rubel, Ruchti, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 58.

NAYS—Barbieri, Boyle, Christensen(Hubbard),
Ferch(Gempler), Giddings, Hanks, Kingsley(Baldwin), Moon,
Nate, Nichols(Brooks), Scott. Total - 11.
Absent—Monks. Total - 1.
Total - 70.

Whereupon the Speaker declared the motion carried and the committee was excused.

February 24, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 673](#), [H 674](#), [H 675](#), and [H 676](#).

CHANEY, Chairman

[H 673](#) was referred to the Revenue and Taxation Committee.

[H 674](#) was referred to the Judiciary, Rules and Administration Committee.

[H 675](#) and [H 676](#) were referred to the State Affairs Committee.

February 24, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have enrolled [HCR 32](#).

CHANEY, Chairman

The Speaker announced he was about to sign enrolled [HCR 32](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 663](#) and recommend that it do pass.

HARRIS, Chairman

[H 663](#) was filed for second reading.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 650](#) and [H 653](#) and recommend that they do pass.

CLOW, Chairman

[H 650](#) and [H 653](#) were filed for second reading.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 664](#) and [HCR 30](#) and recommend that they do pass.

WOOD, Chairman

[H 664](#) and [HCR 30](#) were filed for second reading.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 608](#) and [H 672](#) and recommend that they do pass.

GIBBS, Chairman

[H 608](#) and [H 672](#) were filed for second reading.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 582](#), [H 583](#), [H 610](#), [H 611](#), and [H 660](#) and recommend that they do pass.

DIXON, Chairman

[H 582](#), [H 583](#), [H 610](#), [H 611](#), and [H 660](#) were filed for second reading.

February 23, 2022

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 590](#) and [H 667](#) and recommend that they do pass.

HOLTZCLAW, Chairman

[H 590](#) and [H 667](#) were filed for second reading.

February 24, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have had under consideration [H 499](#), [H 620](#), and [H 621](#) and recommend that they do pass.

CHANEY, Chairman

[H 499](#), [H 620](#), and [H 621](#) were filed for second reading.

Mrs. Blanksma asked unanimous consent, pursuant to Rule 3, that [H 608](#) be corrected as follows:

On Page 1, Line 21, add a comma after the word determination.

There being no objection, it was so ordered.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

[SCR 116](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[SCR 117](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[SCR 118](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 677

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE TAXPAYERS' BILL OF RIGHTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 40, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-4015, IDAHO CODE, TO PROHIBIT THE ENFORCEMENT OF CERTAIN TAXATION OF IDAHO BUSINESSES BY OUT-OF-STATE TAXING ENTITIES; AND DECLARING AN EMERGENCY.

The question being, "Shall [H 658](#) pass?"

Roll call resulted as follows:

AYES—Addis, Amador, Andrus, Berch, Blanksma, Bundy, Burns, Chaney, Clow, Furniss, Galloway(Hancock), Gestrin, Gibbs, Green, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Lickley, Manwaring, Marshall, McCann, Mitchell, Moyle, Palmer, Ruchti, Shepherd, Skaug, Syme, Troy, Vander Woude, Weber, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 38.

NAYS—Adams, Armstrong, Barbieri, Boyle, Cannon, Chew, Christensen(Hubbard), Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch(Gempler), Gannon, Giddings, Hanks, Harris, Kingsley(Baldwin), McCrostie, Mendive, Moon, Nash, Nate, Necochea, Nichols(Brooks), Okuniewicz, Rubel, Scott, Toone, Wisniewski. Total - 30.

Absent—Mathias, Monks. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 658](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 35](#) - LOUISE MCCLURE

[HCR 35](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Troy to open debate.

The question being, "Shall [HCR 35](#) be adopted?"

Whereupon the Speaker declared [HCR 35](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[HJM 4](#) - BUTTE COUNTY

[HJM 4](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Furniss to open debate.

The question being, "Shall [HJM 4](#) be adopted?"

Whereupon the Speaker declared [HJM 4](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

[H 622](#) - DIVORCE ACTIONS

[H 622](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

Pursuant to Rule 80(3), the following Representative disclosed a conflict of interest regarding [H 622](#):

Mr. Chaney

Mr. Chaney asked unanimous consent that [H 622](#) be returned to the Judiciary, Rules and Administration Committee. Mrs. Scott objected.

Mr. Chaney moved that [H 622](#) be returned to the Judiciary, Rules and Administration Committee. Seconded by Ms. Hartgen.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Giddings, Green, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley(Baldwin), Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moyle, Nash, Necochea, Okuniewicz, Palmer, Rubel, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 61.

NAYS—Christensen(Hubbard), Ferch(Gempler), Hanks, Moon, Nate, Nichols(Brooks), Scott. Total - 7.

Absent—Monks, Ruchti. Total - 2.

Total - 70.

Whereupon the Speaker declared the motion carried and [H 622](#) was returned to the Judiciary, Rules and Administration Committee.

[S 1247](#) - EDUCATION

[S 1247](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. McCann to open debate.

The question being, "Shall [S 1247](#) pass?"

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Armstrong, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Christensen(Hubbard), Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch(Gempler), Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Hanks, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley(Baldwin), Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moon, Moyle, Nash, Nate, Necochea, Nichols(Brooks), Okuniewicz, Palmer, Rubel, Ruchti, Scott, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 66.

NAYS—Barbieri. Total - 1.

Absent—Giddings, Green, Monks. Total - 3.

Total - 70.

Whereupon the Speaker declared that [S 1247](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[H 539](#) - DRIVER'S LICENSES

[H 539](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

The question being, "Shall [H 539](#) pass?"

Roll call resulted as follows:

AYES—Adams, Addis, Amador, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Christensen(Hubbard), Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch(Gempler), Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Giddings, Hanks, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby,

Kingsley(Baldwin), Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moon, Moyle, Nash, Nate, Necochea, Nichols(Brooks), Okuniewicz, Palmer, Rubel, Ruchti, Scott, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 68.

NAYS–None.

Absent–Green, Monks. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 539](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 654](#) - EDUCATION

[H 654](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marshall to open debate.

The question being, "Shall [H 654](#) pass?"

Roll call resulted as follows:

AYES–Adams, Addis, Amador, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Christensen(Hubbard), Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch(Gempler), Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Giddings, Hanks, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley(Baldwin), Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moon, Moyle, Nash, Nate, Necochea, Nichols(Brooks), Okuniewicz, Palmer, Rubel, Ruchti, Scott, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 68.

NAYS–None.

Absent–Green, Monks. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 654](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 656](#) - EDUCATION

[H 656](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Yamamoto to open debate.

The question being, "Shall [H 656](#) pass?"

Roll call resulted as follows:

AYES–Adams, Addis, Amador, Andrus, Armstrong, Barbieri, Berch, Blanksma, Boyle, Bundy, Burns, Cannon, Chaney, Chew, Christensen(Hubbard), Clow, Crane, DeMordaunt, Dixon, Ehardt, Erickson, Ferch(Gempler), Furniss, Galloway(Hancock), Gannon, Gestrin, Gibbs, Giddings, Hanks, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley(Baldwin), Lickley, Manwaring, Marshall, Mathias, McCann, McCrostie, Mendive, Mitchell, Moon, Moyle, Nash, Nate, Necochea, Nichols(Brooks), Okuniewicz, Palmer, Rubel, Ruchti, Scott, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker. Total - 68.

NAYS–None.

Absent–Green, Monks. Total - 2.

Total - 70.

Whereupon the Speaker declared that [H 656](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER **Announcements**

Announcements were made to the body.

16TH ORDER **Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, February 25, 2022. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 12 noon.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk